

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

ENERGY TRANSPORTATION GROUP, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	C.A. No. 07-523 (GMS)
	)	
SIEMENS HEARING INSTRUMENTS INC.,	)	
AND SIEMENS AUDIOLOGISCHE TECHNIK	)	
GMBH,	)	
	)	
Defendants.	)	

**WAIVER OF SERVICE OF SUMMONS**

TO: John G. Day  
Ashby & Geddes  
500 Delaware Avenue, 8th Floor  
P.O. Box 1150  
Wilmington, DE 19899  
(302) 654-1888  
jday@ashby-geddes.com

Siemens Hearing Instruments, Inc. and Siemens Audiologische Technik GmbH (collectively, "the Siemens defendants") acknowledge receipt of your request that they waive service of summons in the above-captioned matter, C.A. No. 07-523 (GMS), in the United States District Court for the District of Delaware.

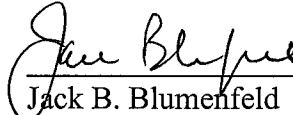
The Siemens defendants have also received copies of the complaint in the action, two copies of this instrument, and a means by which they can return the signed waiver to you without cost to them.

The Siemens defendants agree to save the cost of service of a summons and additional copies of the complaint in this lawsuit by not requiring that they be served with judicial process in the manner provided by Rule 4. The Siemens defendants will retain all

defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

The Siemens defendants understand that a judgment may be entered against them if an answer or motion under Rule 12 is not served upon you within 60 days after December 10, 2007, or within 90 days after that date if the request was sent outside the United States.

December 19, 2007  
Date

  
\_\_\_\_\_  
Jack B. Blumenfeld  
Printed/Typed Name

As Counsel \_\_\_\_\_

Of

Siemens Hearing Instruments, Inc. and  
Siemens Audiologische Technik GmbH

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